

(At this point a dove flew in at one of the windows and settled near Rep. Marques.)

The item passed at \$10,000.  
Secretary, \$6,000. Passed.  
Clerks, \$5,400.

Rep. Nawahi moved the item be referred to a select committee.

Minister Brown said it was customary to lump the salaries. At times extra help had to be obtained and the item was put in that way to provide for it.

The item passed as in bill.  
Messenger, \$1,200. Passed.

Envoy at Washington, London, Berlin and Paris, \$12,000.

Passed as in bill.  
Clerical aid and expenses legation, \$2,000. Passed.

Salary Consul-General, San Francisco, \$8,000. Passed.

Clerical aid and expenses, San Francisco, \$5,000. Passed.

Diplomatic and Consular services, \$4,000. Passed.

Expenses of Foreign Agents, to include expenses at Paris exposition, 1889, \$7,000.

Rep. Kalua moved it read \$17,000.

Minister Brown said it was the intention of the Cabinet to ask for the item to be increased. The present unsettled condition of our treaty affairs, may make it necessary to have a little money to fall back on, and it was as well to be prepared, in case a necessity arose.

Noble Marsden—After hearing the explanation of the Minister I move it pass at \$20,000.

The item passed at \$17,000.

Rep. Brown moved to insert here, State entertainments \$10,000. Carried.

Incidentals of Foreign Office \$3,000. Passed.

Education of Hawaiian youths abroad \$3,000. Referred to a select committee.

Relief and return of indigent Hawaiians \$1,000.

Rep. Rosa—By the last steamer I received letters from a number of Hawaiians at Salt Lake City who desire to return to the Kingdom but have not the means. They are in distress and afraid to state the reasons. I move the item read \$3,000.

Rep. Brown—I saw some of these people at Koolau. They sold out their lands, houses, etc. I advised them not to go to Salt Lake, but they went. Since the matter got stirred up in the papers, these people have been moved to an almost inaccessible place. I move to refer to a select committee. This Government should make inquiries of the U. S. Government and find out whether any Hawaiians are detained in the States against their will.

Noble Parker—I was in Salt Lake last July and saw about twenty Hawaiians. They came to me and related their grievances. They wanted to get back to Hawaii but did not have the means. I offered to pay their way and look to the Government to refund me. When I reached San Francisco I made arrangements with a hotel, the railroad and the steamship company. Consul McKinley notified the late administration but they did nothing. When I went to make further inquiries I found these people had been moved to this new country, and I could not get communication with them. I support the motion to refer to a select committee.

Noble Crabbe when he was at Salt Lake two years ago saw about fifty Hawaiians who wanted to return. They asked him to interest the Ministry to get them back. They said they were induced there by the Mormon elders.

Rep. Kaubi—These people went there on a religious belief. Many of them went in spite of warnings. Let them stay there; they may bury them there as far as I care. The only reason I would vote to refer to a committee is, so that the committee could go to these elders and interview them. There are plenty of churches here, no reason why they should go to Salt Lake, without they have an idea they are nearer heaven. I expect to incur the displeasure of the Mormon preacher, but if he has anything to say, let him come to Ewa and I will talk to him.

Rep. Rosa accepted Rep. Brown's amendment to refer to a special committee, which carried.

Minister Brown moved that the items King's guard, \$35,000; Band, flags and salutes, \$46,000, and aid to Volunteer Military Companies, \$12,000, be referred to the Military committee.

Rep. Rosa agreed with the motion. A number of the bandmen had spoken about having a fixed salary for their place in the Appropriation Bill so that neither the bandmaster or anyone else could alter it.

The motion was carried.  
Old account, A. W. Herring: Uniforms, \$603.54; interest, \$141.46. Referred to Military Committee.

On motion of Rep. Brown, the Committee rose and reported progress. Report adopted.

President Walker announced an invitation from St. Louis College to attend the closing exercises at 3 p. m. Friday.

President Walker appointed the following committee to visit the leper settlement: Rep. Kapahaele, Nobles Von Tempky, Marsden, Burchardt, Macfarlane, Pua, Phillips and McCarthy. Reps. Nawahi, Rice, Kalua and R. W. Wilcox.

At 4:10 the House adjourned to 10 o'clock Tuesday morning.

## Twenty-Sixth Day.

TUESDAY, July 8.

House met at 10 a. m. Prayer by the Chaplain.

While waiting for a quorum, Rep. Brown moved the House take a recess to 1 p. m. Carried.

## Afternoon Session.

The House re-assembled at 1:10. Minutes read by the Secretary and approved.

Rep. R. W. Wilcox presented a petition from Honolulu praying that the present Constitution be abolished. Referred to Judiciary Committee.

Rep. Halstead presented the following petitions from the District of Makawao: 1, with 60 signatures, that the law relating to pounds and estrays be amended; laid on the table until bill on the subject be brought in. 2, with 60 signatures, that the law authorizing the shooting of pigs be repealed; laid on table until bill be brought in. 3, with 62 signatures, that the law relating to leper suspects be repealed; laid on table to be considered with bill.

Rep. A. S. Wilcox presented a petition from Hanalei, with 105 signatures, that \$12,000 be inserted in the Appropriation Bill for repairs to roads and bridges in the district. Referred to Committee on Public Lands.

Noble Pua presented petitions, 1, from the District of Honolulu, that Dr. Lutz be appointed President of the Board of

Health, and that he be authorized to procure other doctors from Europe to assist him and that the doctors now in the employ of the Board be dismissed. Referred to Sanitary Committee.

2, from the same District, that the law establishing the Hawaiian Board of Health be re-enacted. Referred to Sanitary Committee.

3, that native Hawaiians be allowed to practice among their own people. Referred to Sanitary Committee.

Rep. Waipulani presented a petition from Kona, that hospitals be established in each district; laid on table to be considered with bill on the subject.

Rep. White presented the following petitions: 1, that an appropriation be made for improving the roads in Lahaina. Referred to Public Lands Committee.

2, from Hilo, that \$1000 be appropriated for establishing an English school in Puna. Referred to Education Committee.

3, from Hilo, that a Government road in that place be kept open and \$500 be appropriated for repairs. Referred to Public Lands Committee.

Rep. Kahookano presented a petition from Kohala, with 35 signatures, that certain Government lands in that district be sold to petitioners. Referred to the Minister of Interior.

Rep. Kamai presented the following petitions from Hana: 1. That \$15,000 be appropriated for improving road from Huelo to Honolulu. Referred to Public Lands committee.

2. That \$500 be appropriated for improving landing at Nuu. Referred to Public Lands committee.

Noble Widemann stated that the bill "to authorize and promote the construction of steam railroads on the island of Hawaii," was printed.

President Walker ordered them distributed.

Noble J. M. Horner read a first time his act to amend section 5 chapter 47 session laws relating to spirituous liquors. Bill took regular course.

The honorable Noble said that when he gave notice of the bill last week, it was considered a joke. He wished to make an explanation and then told a story about Mary and her beau.

Rep. Rice gave notice of a bill to amend chapter 44 laws of 1882 relating to spirituous liquors.

Rep. Cummings offered a resolution that \$20,000 be inserted in the Appropriation bill for improving the Nuuanu Valley road from the residence of Hon. J. S. Walker to the Pali. Laid on table to be considered with Appropriation bill.

Rep. Waipulani read a first time his act to increase the duties on coffee imported from foreign countries. The bill fixes the duty at six cents per pound on all coffee coming in. Bill takes regular course.

President Walker appointed the following select committee on the item, education of Hawaiian youths abroad \$3,000; Reps. Kalua and Knudsen, Nobles Isenberg and Widemann and Minister Brown.

Noble Widemann gave notice of a bill to limit the liability of owners of vessels with regard to the opium and smuggling laws.

Rep. Kapahaele moved the order of the day. Carried.

Second reading of a bill to amend section 893 Civil Code.

Minister Brown—The object of the bill is simply to increase the jurisdiction of Police Courts in assumption suits from \$200 to \$300. The Cabinet thinks it a good bill. It will save expense to litigants and time of the Supreme Court.

Rep. Kahookano moved the bill pass to engrossment.

Rep. Kapahaele moved reference to Judiciary Committee.

The bill was referred to the Judiciary Committee.

Second reading of an act to amend sub-division first of Section 1 of Chapter XVI of the session laws of 1870 relating to divorce. It is amended by striking out words "three years" and inserting "one year."

Rep. Brown moved the bill pass to engrossment.

Rep. Kapahaele moved an amendment by striking out certain words relating to Chinese leprosy.

Noble Kaubane moved the bill be indefinitely postponed, as if it passes it will encourage divorces. The law is good enough as it stands.

Rep. White moved to amend by striking out the words "one year" and inserting "two years."

Rep. Nawahi favored indefinite postponement.

Noble Widemann thought if this law passed it would be of more evil consequence to Hawaiians than any other race. For the sake of Hawaiians I wish this law would not pass.

Rep. Waipulani supported the bill, and moved that the ayes and noes be taken on the motion to indefinitely postpone.

Noble von Tempky moved the previous question. Carried.

The motion to indefinitely postpone the bill was carried.

Rep. Robt. Wilcox moved the House adjourn to 10 o'clock Thursday morning. Carried.

The House adjourned at 3:35 o'clock.

## Twenty-seventh Day.

THURSDAY, July 10.

The House opened at 10 a. m. Prayer by the Chaplain. Minutes read and approved.

Rep. Kanealli presented a petition from Kau, Hawaii, that an English school be established at Honuapo. Referred to Education Committee.

Rep. Waipulani presented petitions from Kona: that North and South Kona be made two separate election districts. Laid on the table to be considered with the bill on the subject; that licenses for sale of salmon be put at \$10, and that the law relating to salt beef be repealed; that the number of Judges of the Supreme Court be increased; and that the duty on coffee be increased. All laid on table to be considered with bills on the respective subjects.

Noble Pua presented a petition from Honolulu that pay of men working on the wharves be increased to \$4 per day, \$8 per night and \$1 per hour. On suspension of the rules he reads the following petition from Honolulu: that the police force be increased to 500 (including the military); that a law be enacted that all males between 13 and 40 years be subject to military duty; that the Government erect hospitals on the different islands; that the law relating to vaccination be repealed; that the law authorizing leper suspects to be arrested be repealed; that there be no restrictions on practice of medicine to cure lepers; that a medical college be established by the Government for native Hawaiians; that the number of Judges of the Supreme Court be reduced to three; that the Legislative Assembly make lawyers practising in district courts do their duty by their clients; that the Government lease Government lands to Hawaiians; that the pay of police be apportioned by the Legislature;

that Mr. Makalua be requested to return and practice; that native Hawaiians practice medicine and all foreign doctors be discharged, and all medical books be translated into Hawaiian; that restrictions for voting be repealed; that Chinese be allowed to vote. Referred to Committee on Miscellaneous Petitions.

Noble McCarthy for the Military committee to whom was referred the military items in the Appropriation bill, reports in favor of passing items as follows: King's Guard \$62,000; band, flags and salutes \$50,000; aid to volunteer military companies \$1,500; old account A. W. Herring \$750.

Noble Baldwin moved to lay report on table to be considered with the Appropriation bill. Carried.

Rep. Kamai introduced the following resolutions: 1, that \$400 be inserted in the Appropriation bill to build English school at Waihanu, Koolau, Maui. Laid on the table to be considered with the Appropriation bill.

2, that the committee appointed to visit the leper settlement be authorized to return those home who have not leprosy, and examine suspects, and that the Board of Health be forbidden to send anyone to the settlement during the sitting of the House. Referred to the Sanitary committee.

Rep. Horner reads a first time a bill to amend law relating to sale of intoxicating liquors.

Rep. Kamai gives notice of an Act to provide for two district magistrates; to amend sundry articles of the Constitution and to add certain new ones.

Rep. Robt. Wilcox gives notice of an Act to amend the military law.

Rep. Bush resolved that \$500 be inserted in the Appropriation bill to extend breakwater at Waimea, Kauai. Laid on table to be considered with the Appropriation bill; that \$500 be appropriated to improve road leading up Waimea valley, Kauai; laid on table to be considered with the Appropriation bill.

Rep. White moved that an item of \$5,000 be inserted in the Appropriation bill to extend water pipes to Iwilei, Honolulu. Laid on table to be considered with the Appropriation bill.

Rep. Waipulani wishes to ask the Minister of the Interior whether anyone has been sent to the leper settlement during the last week.

The House proceeded to the order of the day.

Third reading of Act relating to suppression of plant diseases and insect pests.

Rep. Kalua moves reference to the Committee on Government Lands. The bill is incomplete though good as far as it goes.

Rep. Nawahi—I am in favor of referring the Sanitary committee as it refers to health of plants and trees. I fear the bill is brought in more to give employment to people than anything else.

Noble Widemann—As I voted yesterday at the school house on Beretania street, I happened to notice some kikania trees. They were covered with this blight. I have been told that lunas at the polling place at the second bridge were literally covered with these insects which had fallen from trees and which they carried home. The first object is to keep the pest from traveling to the other islands. I think we ought to pass the bill at once and not delay it a moment. I sympathize with the members from Hilo and Wailuku as to the expense. I was in favor of its being paid for by the owners, but was outvoted. I move this law do pass and hope at the same time that a comparatively small appropriation be introduced to import the insect which will destroy them.

Noble J. M. Horner—These pests are introduced not merely by plants but also in fruit boxes and very likely it was brought here that way. I am much in favor of the object of the bill and if we do not get it perfect, experience will be our teacher in times to come. It was said the other day that these pests were sent by God and he would take them away again. This is not the work of Providence. The earth was cursed for man's sake and brought forth thorns and thistles, so as to keep man busy, and this pest is upon us perhaps for that same purpose, to make us bestir ourselves.

Noble Widemann—In view of what Noble Horner has just said I would move to amend by adding to "plants" the words "imported fruit."

Noble Baldwin—We cannot afford any delay in the matter. It ought to have been passed in the early part of the session. It has been discussed very thoroughly, and there is no need of a committee who can do nothing that we have not already done. Knowing so little about the habits of the insect, we cannot afford to hamper the commissioners by minute instructions. We cannot spare a minute. It is said it has already been carried to Kauai.

Minister Brown—I support the passage of the bill as it is now and nothing new has been said. I strongly oppose the amendment as it will virtually kill the bill. Commissioners serving without pay are not going to search over 500 boxes of apples to find the insect. As for the virtuous fear of the member for Hilo, I will say that no one is going to make a very large fortune out of it.

Rep. Kapahaele—I am in favor of reference to a committee. Hasty legislation is not desirable and if we are hasty we will regret it.

Rep. Brown—I think the bill should become law, the sooner the better. The commissioners can make such regulations as are necessary. As to the expense, of which such a bugbear has been made, it need not be great. The Ministry has mentioned \$2000 and if we give that nothing more can be spent. It is said that the particular blight aimed at is destroyed only by the Australian ladybug. A large sum of money has already been subscribed by the merchants of this town and sent to California to import the bug.

Noble Parker—I am in favor of this bill. If the representatives opposing it had been to California they would favor it too. I have seen in lower California, hundreds of acres of vineyards and orange trees destroyed by the blight. These ladybugs were imported from Australia with the result that they are nearly clear of this pest. I also learned that this ladybug eats the insect, so that we may rest assured that they will not go for chickens or anything else.

Noble Widemann, wishing to speak again, was ruled, in a point of order raised by Rep. White, out of order, as having already spoken twice.

Noble Widemann appealed from the decision of the Chair, stating that he had another amendment to offer.

Point of order was withdrawn.

Noble Widemann—Mr. Jaeger received a letter from California stating that the Secretary of the State Commissioner of Horticulture would be willing to bring these insects down himself and show us how to use them. I went to Colonel Spreckels at once begging him to issue a

free passage, assuring him that if the House made an appropriation it would be paid for. Colonel Spreckels issued the permit at once, and the gentleman will probably be down on the next Australian ship. In regard to my amendment we might as well leave the whole thing undone as to merely destroy the pest here and do nothing to prevent its continued importations. I would ask the Attorney-General whether if they in these rules inserted the word "fruit," that would have the force of law?

Minister Peterson—According to the reading of the section, I think the power granted to the commissioner is broad enough to cover the point.

Noble Widemann—The question is whether the rule would hold in a court of law.

Minister Peterson—They would as far as they refer to the prevention of diseases.

Noble Widemann—That is sufficient then; I withdraw my amendment.

Rep. White—I am in favor of referring to a committee, because they are in favor of the bill as it stands. What is the ladybug going to eat when this blight is all gone? I think the ladybug might be the means of propagating the blight, in order to furnish food for itself.

Noble Crabbe—I am in favor of passing the bill immediately, and not in favor of reference to any committee. I move bill pass as it is.

Rep. Nawahi made some remarks which were not translated and moved that the House take a recess till 1:30. Lost.

Rep. Kalua withdrew his motion.

Rep. Nawahi moved to refer to a select committee.

The motions to refer to a select committee and the Sanitary Committee were both lost.

Rep. Kanealli moved to call ayes and noes.

The bill passed 38 to 7.

The House took a recess until 1:30.

## Afternoon Session.

The House re-assembled at 1:30.

Second reading of bill No. 16, an Act to Repeal Chapter 66, Session Laws of 1888.

The Secretary read the bill.

Rep. Waipulani stated that he introduced bill and found that the bill contains some mistakes and omissions, and therefore favored reference to Judiciary Committee.

Noble Widemann—Bill is exceedingly simple, and I would like to know what the mistakes are.

Rep. Rosa—The bill ought to go to the Judiciary Committee because a statute cannot be re-enacted by its title only. The whole act must be recited if a repealed act is to be revived, and the Supreme Court has so decided. Either this bill must be withdrawn or it must go to the Judiciary Committee to have a substitute bill prepared.

Rep. Brown—Object of bill is to increase the number of Judges to five again. The Legislature of 1888 provided that no vacancy should be filled as long as there were three judges. Five judges are unnecessary, and the two extra ones will simply be a needless expense. That has been proved by experience. When there were five, for weeks together a judge would have nothing to do. There are now four justices and they are not overworked. The Constitution makes their tenure for life, and we cannot legislate them out of office. I move the indefinite postponement of the bill.

Rep. Rosa—The law was passed because attorneys did not get justice, and with five judges they got more. In no country except this and New Zealand does the judge who sat below sit on the appeal. It is a hard fight to take an appeal, and many cannot afford it. There is always plenty to do up there. If they have nothing else to do they can read law. The judge who sat below, sitting in banco acts as an advocate as well as a judge. It is up to him to fight an appeal. The judges are thinking of introducing a law to enable two judges to sit at once, hearing jury cases—one foreign, one native. This will enable the Court to catch up with the calendar, which they have not been able to do for the last two years. No complaint whatever has arisen as to the cost among the merchants of this city. I think it is a good bill and that the money will be well spent. I therefore urge reference to a committee to devise a substitute bill.

Noble Widemann—I am in favor for myself of five judges. My distinguished friend A. S. Hartwell devised this scheme. Some opposed and some favored it. Unfortunately it was left to the Gibson Cabinet to carry out, and that created a sentimental reason against it. I think it should be absolutely forbidden for a judge who sat below to sit in the case above unless necessary.

Minister Peterson—I move this bill be referred to a select committee of five. The bill is not in a condition to pass as it is. In the first place there is some question whether the title expresses all that is in the bill. In the second place, there is no express re-enactment here. The option law of 1881 read that Chapter is hereby repealed and laws thereby repealed are hereby re-enacted, and the Supreme Court decided that was not good. It is not with regard to repealing of a law but the re-enacting. I think the Judiciary Committee have enough to do, and this is so important that it should be carefully considered. The judiciary bill reported last Legislature is in one way or another before this House, and that must be carefully considered before we act on this.

Rep. Kapahaele—Am not in favor of the bill. It will involve a useless expense. There is no need of five judges. I favor indefinite postponement.

Rep. Kahookano—Am in favor of reference to a select committee. The matter of expense is nothing in comparison with the importance of getting justice and preventing a judge from sitting in a case in which he has already rendered an opinion.

Rep. Kaubi—Any member who was in the Legislature of 1886 knows what the cause of the increase in number of judges was. The Government was corrupt and wanted its acts legalized by the Supreme Court. It was not because the Court was overworked or of the failure of justice, but because the Cabinet wanted some friends in the Supreme Court. There is no need of that now, and so I am in favor of the indefinite postponement of the bill. I move previous question. (Calls of question.)

Rep. Rosa—I submit this is improper. Stopping debate is not right.

The previous question was carried.

Rep. Waipulani, as introducer of the bill, had a right to answer and wished to give his place to the member from Waialua.

Rep. Brown—He has the right so to do under Rule 56.

Rep. Waipulani—Am in favor of ref-

erence to a committee, because I think we need five judges. I withdraw the motion to refer to Judiciary Committee.

The motion to indefinitely postpone is lost.

The motion to refer to a select committee is carried.

At 2:30 the House adjourned to Friday. (Continued on seventh page.)

## New Advertisements.

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